PLACER COUNTY 2002 LEGISLATIVE PLATFORM



Approved by the Board of Supervisors December 4, 2001

Prepared by the County Executive Office

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Part One General Principles

The first and foremost goal of the County's elected representatives and its employees is to serve and support the social, economic, health, safety and well-being of its citizens. To this end, in 2002, the Placer County Board of Supervisors supports the following general principles. County staff, including the County's legislative advocates, will apply these general principles to evaluate legislation and other proposals, and make recommendations to the Board of Supervisors.

- 1. Encourage and seek legislation that facilitates orderly economic expansion and growth, and increases the opportunity for discretionary revenues.
- **2.** Support legislation to assure Placer County's authority to govern itself and oppose legislation that will hinder or limit the County's self-rule authority.
- **3.** Support efforts, including administrative changes, to implement a state/local fiscal reform plan to insure revenues for the delivery of local programs and services, and to increase programmatic and financial flexibility for the County.
- **4.** Support the County's authority to assure mutually acceptable tax sharing agreements for annexation, incorporation and redevelopment that protect or enhance the County's ability to provide services to its constituents.
- **5.** Support legislation that provides tax and funding formulas for the equitable distribution of state and federal monies.
- **6.** Support increased state and federal appropriations for County mandated programs, and the equitable distribution of local tax revenue among all local government agencies.
- **7.** Oppose state or federal mandates, and the transfer of state or federal programs, to the County unless adequate on-going revenues are provided.
- **8.** Continue to encourage local agencies and governments to cooperate for the betterment of the community and encourage voluntary regional solutions to regional problems, including funding and support for capital acquisition projects.
- **9.** Seek cooperation with state and federal governments on regulatory and administrative issues affecting the County, including those related to health care, public safety, the environment and transportation, to ensure the protection and well-being of its citizens.
- **10.** Encourage and seek legislation that protects the County's quality of life, its diverse natural resources, and preserves the essence and history of the County.

PLACER COUNTY 2002 LEGISLATIVE PLATFORM Part Two State Proposals

Administrative Services

Proposal: Interest on Delinquent Fines and Fees

Introduce legislation to amend the California Penal Code to permit charging interest on delinquent fines and fees.

Problem: Several counties have been charging interest on accounts based on the authority as interpreted in the State's Penal Code and California Code of Civil Procedure. In 1998, a court decision stated that the Penal Code did not provide for the accrual of interest. Placer County currently participates in the State Franchise Tax Board's (FTB) Court Ordered Debt Program, which allows counties to refer unpaid court fines and fees to the FTB for additional collection action. The FTB charges the County 15% of the amount collected as an administrative fee, but the County is not allowed to reduce the fines to offset the FTB cost. Therefore this becomes a direct cost to the County, currently estimated at \$130,000 annually. The ability to charge interest would permit offset of most of the FTB cost.

Agricultural Commissioner

Proposal: Continuation of Pesticide and Pest Control Programs

Continuation of fees for the Agricultural Commissioner's work in pesticide regulatory activities is a continuing major legislative effort and needs to be supported.

Problem: Even though the Legislature passed a 5-year extension of the pesticide mill fee there are other fees pending for the maintenance of specific pest programs, such as the Red Imported Fire Ant.

Assessor

Proposal: Oppose Efforts to Allow Trial De Novo In Assessment Appeals

In 2001, Placer County joined County Assessors in opposing Assembly Bill 934 authored by Assembly Member Robert Hertzberg. It is expected that an attempt will be made to pass the bill in 2002.

Problem: Assembly Bill 934 would allow a Trial Court reviewing the record of a County Assessment Appeals Board to also consider evidence not on the administrative record. This trial de novo procedure would be extremely costly to counties and the filer.

Proposal: Protect Property Tax Administration Funds

The Legislature approved legislation in 2001 to fund a property tax administration grant program that will need reauthorization. Support reauthorization of the \$60 million grant program.

Problem: The property tax administration grant program of \$60 million approved by the Legislature in 2001 will require reauthorization and may be subject to reduction because of the State's current strained fiscal condition.

Auditor

Proposal: Validate Library ERAF Transfers

Sponsor legislation to validate the Placer County Auditor's transfers of library funds to Educational Revenue Augmentation Fund (ERAF).

Problem: In the wake of the passage of the original ERAF legislation, the computation directions for transfers from special funds were revised on several occasions. The Placer County Auditor's ERAF transfers for the Library were challenged by the State Controller and were corrected by the County Auditor. One year of pay back is outstanding. That year's original transfer and the subsequent corrections need to be validated.

County Clerk-Recorder-Registrar

Proposal: Electronic Recording

Support Senate Bill 731, authored by Senator Rico Oller, allows for the electronic filing of documents. SB 731 was introduced at the request of the Placer County Clerk-Recorder-Registrar.

Problem: Current law does not authorize Placer County to accept the electronic submission of an original, recordable document. SB 731 would allow both Placer and Contra Costa counties to participate in a pilot project that allows for the electronic recording of documents.

County Counsel

Proposal: Revise State Board of Equalization Public Meeting Practices

Support legislation requiring the State Board of Equalization (BOE) to publicly disclose items set for discussion and decision in such detail as to allow participation, and to provide reasonable deadlines for written input. Provide standing for counties and County Assessors at the BOE and in related legal proceedings.

Problem: The current practices of the State BOE include agenda listings and public notice requirements that do not provide either enough information or enough time for interested parties, such as counties, to know when to respond – or because of unreasonable time restraints, the ability to respond. The BOE has denied standing to counties and County Assessors in its proceedings.

Proposal: Revise Education Code Related to School District Boundary Changes

Support legislation to substitute the County Board of Education for the County Board of Supervisors as authorizing body.

Problem: The current Education Code still requires the Board of Supervisors to officially "...create, change or terminate school districts...". This authority more properly belongs with the County Board of Education.

County Executive Office

Proposal: Tobacco Master Settlement Agreement

Support legislation that preserves and protects the Tobacco Master Settlement Agreement and allows the County sole discretion over the use of the funds, and oppose any actions to the contrary.

Problem: Legislation proposed last year sought to limit the County's discretion regarding the use of settlement funds.

Proposal: Hydroelectric and Energy Projects

Support legislation to protect Placer County's property tax, land use and water interests as PG&E restructures in the wake of deregulation and bankruptcy.

Problem: PG&E has proposed a massive restructuring of its assets and liabilities as part of its bankruptcy proceedings. Placer County has an interest in the outcome since the future of PG&E's land holdings, electricity production contracts and actual liabilities could impact the County.

Proposal: Local Disaster and Emergency Response Funds

Support state assistance to counties for emergency preparedness and response in light of September 11, 2001 terrorist attack on the United States. Counties are the center of preparedness activities for emergencies in California.

Problem: The County is experiencing an increase in emergency response expenditures, and facing an immediate need to increase its level of preparedness and capability to respond to the new terrorist threat facing local governments in the wake of September 11, 2001. Emergency preparedness and response training; infrastructure and equipment will be required over the next several years to ensure optimal protection of the County and its residents. The state needs to assist in this front line emergency preparedness planning and response at the county level.

Proposal: Insure the State Assumes All Trial Court Costs

Support legislation requiring the State to assume all costs for Trial Courts, including facilities and personnel. Previous Trial Court Funding legislation significantly benefited the County by requiring the State to assume most costs of the Trial Courts. However, there are still costs that are borne by the County (e.g. transporting and housing detainees, courthouse maintenance).

Problem: There continues to be legislative discussions regarding costs and revenues associated with the Trial Courts. The County needs to support efforts to insure the State abides by its commitment to pay for all court-related costs with State revenues rather than local revenues. The County is particularly concerned that the costs of new courthouses and court personnel be clearly a state responsibility.

Proposal: Community Development/Rural Housing Assistance

Seek to amend state statutes related to allocation of Community Development Block Grants (CDBG) and rural housing programs to reflect the unique characteristics in Placer County. Initiate action with relevant state agencies, as well the Tahoe Regional Planning Agency (TRPA), to ease restrictions that hinder efforts to meet the demands for employee housing and affordable housing goals, in general.

Problem: Various state and federal statutes, and implementation policies, inhibit the ability of Placer County to maximize the use of monies designated to expand affordable housing in rural areas due to the unique circumstances that exist in Lake Tahoe, by virtue of it being a bi-state, multi-jurisdictional resort area. These statutes and policies relative to implementation of CDBG, Rural Housing monies, as well as application of state prevailing wage laws and TRPA policies create obstacles to providing employee and other affordable housing in Placer County, particularly in the Tahoe area.

Proposal: Authority to Collect and Spend Penalty Assessments

Seek legislative approval to collect penalty assessments for an expanded list of purposes to include all criminal justice facilities and related technology hardware, and to extend the time period, by which these funds must be expended, to 30 years.

Problem: Current law limits the areas of expenditures for the County and the time period for committing the funds to 25 years.

Facilities

Proposal: Hazardous Materials Clean Up at Dewitt

Seek funding from the State, as a "members request", for hazardous materials clean up of the DeWitt Center. This property is owned by the County and has served as a critical resource for County agencies for many years. The property's redevelopment potential to house government, commercial, and light industrial activity is promising. Funding will be used to abate and or remediate, in accordance with applicable federal and state requirements, the hazardous materials currently on site.

Problem: The DeWitt Center was constructed in 1943 as a military hospital during World War II. Construction practices at that time included the use of materials such as asbestos and lead paint, and utilized underground tanks for heating and fuel oil. However, extensive renovation activity, including hazardous material cleanup of asbestos and lead paint, would be required in order to maintain the property and before successful redevelopment could be undertaken.

Proposal: Regional Wastewater Treatment and Water Reclamation Facility

Seek funding from the State, as a "members request", to support a regional wastewater treatment facility in Placer County.

Problem: A Regional Wastewater Treatment and Water Reclamation Facility is needed to replace outdated facilities, and to meet the County's growing population and federal environmental requirements. Funds necessary to meet the wastewater treatment needs of the County need to be sought from both the federal and state governments.

Proposal: Purchase of Property for State Subvented Programs

Amend the appropriate statutes to allow state funds to be encumbered and used for the purchase of real property for state subvented programs (i.e. health care programs).

Problem: Current law does not allow the use of subvention funds for the purchase or lease-purchase of real property, even when such alternatives result in a reduced cost to taxpayers.

Proposal: Design/Build Concept for County Buildings

Support legislation to add Placer County as a county eligible to use the design/build concept for county buildings.

Problem: Seven counties now have the authority to use the design/build concept. This authority should be extended to Placer County to provide for potential cost savings and reduced time for county construction projects.

Proposal: Collection of Fees

Amend current statutes to allow the collection of delinquent garbage and utility bills on the property tax statements.

Problem: Recently, the Second District Court of Appeals issued an opinion finding an ordinance authorizing liens for delinquent utility bills to be unconstitutional. While liens may not be possible, a statute could authorize the collection of current and delinquent charges as part of the property tax bill.

Health & Human Services

Proposal: Increased Funding for Domestic Violence Programs

Support the establishment, by the Legislature and Governor, of a Domestic Violence Task Force to work in conjunction with state domestic violence associations, to review the level of funding associated with the legislative objectives and recommend adequate funding levels to meet each objective.

Problem: Domestic violence programs are an integral part of County mental health and social service systems. These programs provide a variety of services that include emergency shelters for women and their children, crisis counseling, on-going counseling, advocacy, legal assistance, supervised visitation services and other family support functions. The State Department of Health Services and the State Office of Criminal Justice Planning, through competitive grant processes, fund the domestic violence programs in California. Local programs also receive a portion of the fees associated with marriage licenses, apply to numerous other foundations and government agencies for available grants, and sponsor significant fund raising events. It is generally understood that there is not a stable-funding source for these programs, nor are they sufficiently funded by the State to implement the legislative objectives.

Proposal: Workload Relief Funding for Child Welfare Services

Support that the Legislature and Governor fund the Child Welfare Services system in accordance with the findings of the Senate Bill 2030 Workload Study. The increased funding shall remain as flexible as possible in order to meet the wide range of needs experienced by various counties. **Problem:** The Child Welfare Services system continues to be under funded, contrary to the findings of the state study conducted under the auspices of Senate Bill 2030. The proposed state funding augmentation of \$90 million for FY 2001-02 was reduced by 60%, to \$37 million. This reduction in funding further exacerbates the problem of high caseloads and workloads of county Child Welfare Services program staff.

Proposal: Professional Health Workforce Development

Add California certified Public Health Nurses, and other health professionals, to the list of providers eligible for loan repayment, designate city/county health departments as health professional shortage areas and eliminate the practice site match for local health departments. As a result, Public Health Nurses, and other health professionals, obligating themselves to practice in local health departments for two years would be eligible for the loan repayment program. **Problem:** Due to the national health professional shortage, it is very difficult to recruit and retain California certified Public Health Nurses, and other health professionals, in county/city health departments.

Proposal: Children's Health Center/Emergency Shelter

Seek funding from the State, as a "members request" for a Children's Health Center/Emergency Shelter.

Problem: A Children's Health Center/Emergency Shelter is needed in the County for children who are removed from their homes for abuse or neglect. Funding is needed for facility purchase or development for a health center/shelter that provides, in addition to emergency shelter care, on-site medical facilities to conduct primary health screenings and examinations for the emergency shelter population as well as selected minor cases that require more sensitive handling. Additionally, a multi-disciplinary interview center and a supervised visitation/parent education center are envisioned.

Proposal: Medi-Cal Reform

Support Medi-Cal Reform as part of a statewide effort. Reform should include the following strategies:

- a. Increasing reimbursement rates for primary care and dental care providers;
- b. Expansion and simplification of Healthy Families coverage;
- c. Increased coverage for mental health and substance abuse Medi-Cal benefits;
- d. Support for California's request for Targeted Case Management coverage for home visitation by Family Resource Centers and Public Health Nurses.

Problem: There are over 50 sub-programs administered within Medi-Cal; regulations are complicated and prohibitive. Reimbursement rates to providers are inadequate, which serve as disincentives to participation in the program. The Medi-Cal benefits for mental health and substance abuse are also extremely inadequate.

Proposal: Increased Mental Health and Substance Abuse Funding

Support increased funding for both mental health and substance abuse populations. Strategies should be explored for increasing available on-going funding, including funding criminal justice to purchase mental health and substance abuse services for the forensic mental health population, including drug court programs.

Problem: Realignment funds have not kept pace with the needs of counties. Placer County is significantly impacted by its lack of realignment funds. In lieu of a redistribution of realignment funds, strategies for increasing available on-going funding must be explored.

Proposal: Clarify the County's Responsibility for "Murphy Conservatees"

Propose legislation to clarify the distinction between developmentally disabled and the mentally ill.

Problem: Presently, the County is responsible for the care of the mentally ill and the State is responsible for the developmentally disabled. However, when one of these persons commit a crime, the court makes no distinction between the two. Therefore, the County often becomes responsible for people who are actually developmentally disabled, not mentally ill.

Personnel

Proposal: Contracting Agency Contribution Requirements

Allow public agencies to keep local control to contract with their bargaining groups for their employees and their retirees premium contribution formulas.

Problem: Current law limits public agencies who contract with CalPERS for health insurance under the Public Employees Medical Care and Hospital Act PEMCHA to follow a limited number of options to pay for the retiree premium contribution. Depending upon the option chosen to pay for the retiree insurance, this can cause an economic hardship to the agency providing benefits and/or create a two-tier system for employee/retiree benefits. Basically, current law requires that an agency pay the same amount for a retired employee as it does for an active employee.

Planning

Proposal: Funding and Support to Preserve and Expand Agricultural Lands and Open Space, Restore Wetlands and further Watershed Protection Efforts

Support legislation that advances the objectives of the *Placer Legacy* program to protect open space in the County and to sustain agriculture as a key industry.

Problem: The pressures of urban development have an effect on the amount of land dedicated to agricultural production. With an increase in urbanization, more agricultural land may be lost resulting in a decrease in agricultural products, open space, and greater congestion. To mitigate these impacts, the *Placer Legacy* program was established as a long range, comprehensive strategy for protecting open space in the County in order to enhance the quality of life and sustain agriculture as a key industry.

Public Safety

Proposal: Housing and Treating Mentally Ill Offenders

Support legislation that provides increased funding to house and treat mentally ill offenders, both adults and juveniles.

Problem: Current resources are not adequate to house and treat mentally ill offenders.

Proposal: Continued Funding of COPS Program and Juvenile Justice Funds/Increased Public Safety Funding

Support the continued funding of the current COPS program and juvenile justice funds. Also, support continued Sheriff's funding and any other efforts to increase public safety funding. **Problem:** The 2001 legislative session included a continuation of both the COPS program and the juvenile justice program. Although some of the restrictions originally included in the 2000 legislation were amended, the effectiveness of the juvenile justice expenditures is hampered by overly restrictive regulations. Also, the 2001-2002 State budget included \$500,000 for Sheriff's in counties under 255,000 population. The budget shortfall at the state level may endanger the continuation of the rural sheriff's \$500,000 funding level.

Public Works

Proposal: Public Contracting Project Cost Thresholds

Modify the current cost thresholds in the California Public Contract Code to increase the cost limits on work that may be performed by county work crews.

Problem: The current cost threshold for work, which may be undertaken by county crews, is \$25,000. This limit has not been increased in 35 years. An increase in this limit, even by an annual amount equivalent to a cost-of-living increase, would provide savings for the County in completing minor projects.

Proposal: State Route 89 Bypass

Support California Department of Transportation (Caltrans) and the State Transportation Commission's efforts in the relocation of State Route 89 away from the existing multi-use area to a location better suited for through traffic. The realigned road would improve air quality by reducing the number of cars idling on congested highways, and improve air quality by moving the highway away from the lake.

Problem: Two state highways and a crossing of the Truckee River intersect at a critical location in Tahoe City on the north shore of Lake Tahoe. This location is immediately downstream from the dam, a heavily used and environmentally sensitive location. The result is traffic congestion, conflicts with pedestrians and bicycles, and degradation of the Truckee River. Additionally, there is a reduction in air and water quality with resulting effects on the clarity of Lake Tahoe and the Truckee River.

Placer County 2002 Legislative Platform Part Three Federal Proposals

Proposal: Additional Funding for a Regional Wastewater Treatment and Water Reclamation Facility

Problem: Currently, seven wastewater agencies serve Placer County. These agencies currently provide services to approximately 60,000 households, yet projections indicate that by the year 2015 that population will increase to 150,000. Each existing facility faces: 1) Major expansion needs; 2) Increasing stringent federal pollutant permit conditions; and 3) Cost constraints (both capital and operation & maintenance). The regional design will accommodate projected growth well into the future and provide significant environmental benefits to receiving waters throughout the region, including the Bay-Delta ecosystem.

Proposal: Funding and Support to Preserve and Expand Agricultural Lands and Open Space, Restore Wetlands and further Watershed Protection Efforts

Problem: The pressures of urban development have an effect on the amount of land dedicated to agricultural production. With an increase in urbanization, more agricultural land may be lost resulting in a decrease in agricultural products, open space, and greater congestion. To mitigate these impacts, the *Placer Legacy* program was established as a long range, comprehensive strategy for protecting open space in the County in order to enhance the quality of life and sustain agriculture as a key industry. Federal assistance would be used to continue development of a computer-based geographic information system (GIS) to be used by federal, state, and local entities; expand public outreach and education; complete land acquisitions and easements from willing sellers; and develop a clearinghouse of local land use and natural resources data.

Proposal: Continued Funding for Law Enforcement Technology Needs

Problem: Communications equipment used by law enforcement and other public safety officials in the County are outdated and ineffective. Assistance is needed to upgrade and improve countywide and regional computer and radio networks, including interface and compatibility with mobile data units, to expand areas of coverage, and to relocate the radio room from a World War II era unreinforced masonry structure to a secure, reinforced building.

Proposal: Continued Funding for a Children's Health Center/Emergency Shelter

Problem: A Children's Health Center/Emergency Shelter is needed in the County for children who are removed from their homes for abuse or neglect. It would also include a mental health/behavioral health housing area. Funding is needed for facility purchase or development for a health center/shelter that provides, in addition to emergency shelter care, on-site medical facilities to conduct primary health screenings and examinations for the emergency shelter population as well as selected minor cases that require more sensitive handling. Additionally, a multi-disciplinary interview center and a supervised visitation/parent education center are envisioned.

Proposal: Continue to Advocate for Maximum Flood Protection for County Residents and the Region without Affecting Existing Water Supply Levels

Problem: Flooding from the American River is a constant threat to the 400,000 residents living in the flood plain region. Experts believe that the only solution is a coordinated flood abatement initiative that will provide an acceptable standard of flood protection (e.g. 100, 150, 200-year flood protection). A permanent and reliable source of funding for flood protection is also needed.

Proposal: Transportation Planning

Problem: The County's exponential growth in recent years makes the need for road funding critical. The Walerga Road bridge replacement project, Highway 65 By-pass, Placer Parkway, State Route 89 By-pass and Interstate 80 improvements are all worthy projects that exceed the funding ability at the local level. Additional funding is needed to ensure adequate circulation of traffic flow in, and around, the County. Federal funds available through the appropriations process as well as through the reauthorization of the federal transportation law (expected in 2002 or 2003) provide the opportunity for the County to achieve some of its funding goals for road infrastructure.

Proposal: Funding for a Sacramento-to-Lake Tahoe Regional Trail System

Problem: Completing, and linking, the trail between Sacramento and Lake Tahoe would serve as a primary recreation attraction for County residents, as well as a tourist attraction to others. Federal funding would be used for land purchase, trail construction, and related measures.

Proposal: Funding for Terrorist Threat Preparedness and Response

Problem: The County is facing an immediate need to increase its level of preparedness and capability to respond to the new terrorist threat facing local governments in the wake of September 11, 2001. Emergency preparedness and response training; infrastructure and equipment will be required over the next several years to ensure optimal protection of the County and its residents. Federal funding will be used to purchase equipment, training resources and infrastructure.

Proposal: Funding for a Lake Tahoe Bi-State Emergency Management System

Problem: The isolation and difficult terrain of the Lake Tahoe region make emergency preparedness and response a challenge under the best of circumstances. The new realities of the post-September 11, 2001 terrorist attack on the U.S. would require improved local, state and federal coordination in the preparation for, and response to, emergencies in the Tahoe basin. Current emergency infrastructure and coordination is hampered by the lack of a centralized facility shared by the cooperating jurisdictions that can serve as a central command for emergency activity in the region. Design and construction of such a facility and increased coordination of the local, state, and federal governments are critical to ensuring preparedness for such an event. Federal funding will be sought for the construction of an emergency response facility and additional resources required rendering the facility operational.

Proposal: Funding for Hazardous Materials Clean Up at DeWitt Center

Problem: The DeWitt Center was constructed in 1943 as a military hospital during World War II. Construction practices at that time included the use of materials such as asbestos and lead paint, and utilized underground tanks for heating and fuel oil. The DeWitt property is now owned by the County and has served as a critical resource for County agencies for many years. The property's redevelopment potential to house government, commercial, and light industrial activity is promising. However, extensive renovation activity, including hazardous material cleanup of asbestos and lead paint, would be required before successful redevelopment could be undertaken. Federal assistance would initially be used to abate and or remediate, in accordance with applicable federal and state requirements, the hazardous materials currently on site.

Proposal: Increase Advocacy Efforts Related to Community Development/ Rural Housing Seek to amend federal statutes related to allocation of Community Development Block Grants (CDBG) and rural housing programs to reflect the unique characteristics in Placer County. Initiate action with relevant federal agencies to ease restrictions that hinder efforts to meet the demands for employee housing and affordable housing goals, in general.

Problem: Various federal and state statutes, and implementation policies, inhibit the ability of Placer County to maximize the use of monies designated to expand affordable housing in rural areas due to the unique circumstances that exist in Lake Tahoe, by virtue of it being a bi-state, multi-jurisdictional resort area. These statutes and policies relative to implementation of CDBG, Rural Housing monies create obstacles to providing employee and other affordable housing in Placer County, particularly in the Tahoe area.

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